

**STANDARD TIME ACT.**

**New South Wales**



ANNO VICESIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 38, 1971.**

An Act to establish standard times in New South Wales; to provide that during a certain period in each year standard time shall be advanced; to repeal the Standard Time Act, 1902; and for purposes connected therewith. [Assented to, 26th October, 1971.]

BE

*Standard Time.*

**No. 38, 1971** **BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**Short title.** **1.** This Act may be cited as the "Standard Time Act, 1971".

**Repeals.** **2.** The Standard Time Act, 1902, and so much of the Second Schedule to the Statute Law Revision Act, 1937, as amended that Act, are hereby repealed.

**Standard time.** **3.** (1) Standard time in New South Wales, except in the County of Yancowinna and Lord Howe Island, shall be the mean time of the meridian of longitude one hundred and fifty degrees east of Greenwich in England.

(2) Standard time in the County of Yancowinna shall be—

(a) where an order under subsection four of this section in respect of that county is not in force—the mean time of the meridian of longitude one hundred and forty-two degrees thirty minutes east of Greenwich in England; or

(b) where such an order is in force—the mean time of the meridian of longitude specified in the order as standard time for the County of Yancowinna.

(3)

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(3) Standard time in Lord Howe Island shall be— No. 38, 1971

- (a) where an order under subsection four of this section in respect of that island is not in force—the mean time of the meridian of longitude one hundred and fifty-seven degrees thirty minutes east of Greenwich in England; or
- (b) where such an order is in force—the mean time of the meridian of longitude specified in the order as standard time for Lord Howe Island.

(4) The Governor may, by order published in the Gazette, specify as the standard time for the County of Yancowinna or Lord Howe Island the mean time of the meridian of longitude specified in the order.

4. (1) A reference, express or implied, in any legal instrument to any time or period of time shall be construed—

- (a) in relation to an act or omission that occurs, or a state of affairs that exists, at a particular place—as a reference to standard time, as fixed by or under section three of this Act, in that place or as a reference to that period as determined by reference to that standard time, as the case may require; and
- (b) except as provided by paragraph (a) of this subsection—as a reference to standard time, as fixed by subsection one of section three of this Act or as a reference to that period as determined by reference to that standard time, as the case may require.

Construction of references in Acts and other instruments to times and periods.

(2) Subsection one of this section does not apply to a reference to a time or period of time which is expressly required by the legal instrument in which the reference occurs or by any other legal instrument to be construed otherwise than as required by subsection one of this section.

(3)

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(3) This section applies so as to require a reference in a legal instrument to a time or a period of time to be construed as a reference to the appropriate standard time, as fixed by or under section three of this Act, whether the legal instrument was made before or after that time was so fixed.

(4) In this section, "legal instrument" means an Act (including this Act), regulation, ordinance, rule, by-law, proclamation, order, notice, notification or other instrument made under an Act (including this Act), any contract or agreement (whether oral or in writing) and any deed or other instrument having legal effect.

**Summer time.**

5. (1) During the period commencing at the hour of two o'clock in the morning of the last Sunday in the month of October in each year and ending at the hour of two o'clock in the morning of the last Sunday in the month of February in the next following year, summer time—

(a) in New South Wales, except in the County of Yancowinna and Lord Howe Island, shall be one hour in advance of standard time as fixed by subsection one of section three of this Act;

(b) in the County of Yancowinna, shall be—

(i) where an order under subsection two of this section is not in force in respect of that county, one hour in advance of standard time as fixed by subsection two of section three of this Act; or

(ii) where such an order is in force, the time specified in the order as summer time for the County of Yancowinna; and

(c)

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(c) in Lord Howe Island, shall be—

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- (i) where an order under subsection two of this section is not in force in respect of that island, one hour in advance of standard time as fixed by subsection three of section three of this Act; or
- (ii) where such an order is in force, the time specified in the order as summer time for Lord Howe Island.

(2) The Governor may, by order published in the Gazette, specify as summer time for the County of Yancowinna or Lord Howe Island such time as he thinks fit.

(3) The references in section four of this Act to standard time, or the appropriate standard time, as fixed by or under section three of this Act, and to standard time, as fixed by subsection one of section three of this Act, shall, in respect of any period referred to in subsection one of this section, respectively be construed as references to summer time or the appropriate summer time, as the case may be, as fixed by or under subsection one of this section and to summer time as fixed by paragraph (a) of that subsection.

(4) Nothing in this section affects the use of standard time, as fixed by or under section three of this Act, for the purposes of astronomy, meteorology or navigation, or the construction of any document mentioning or referring to a point of time in connection with any of those purposes.

(5) This section expires on the thirtieth day of September, one thousand nine hundred and seventy-two.

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No. 38, 1971 **6.** Nothing in this Act affects any of the savings contained  
Savings. in the Interpretation Act, 1897, and for the purposes of that  
Act an order made under subsection four of section three or  
subsection two of section five of this Act shall be deemed to  
be an Act repealing, in part, this Act.

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